

From: Radtke, Meghan [Radtke.Meghan@epa.gov]
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To: OLEM ORCR EVERYONE; **Ex. 6 Personal Privacy (PP)** Regional RCRA Directors & Deputies
Ex. 6 Personal Privacy (PP) McDonald, Carolyn [McDonald.Carolyn@epa.gov]; Mitchell, Judy-Ann [Mitchell.Judy-Ann@epa.gov]
Subject: ORCR Weekly Report 5/30/16-6/10/16

Consolidated Report to the AA
Office of Land and Emergency Management
Office of Resource Conservation and Recovery
for the Weeks of 5/30/16 – 6/10/16

Informational/No Action

Sustainable Materials Management

Electronics

- (NEW) The electronics team has secured three new opportunities to increase the exposure and recognition of the SMM Electronics Challenge and of our participants for their sustainable electronics efforts: 1) Hold the Challenge Awards and Recognition Ceremony on a small stage in a high-traffic area of the January 2017 Consumer Electronics Show (CES); 2) Moderate a panel on electronics sustainability as part of the CES Innovation and Policy Series at the CES; and 3) Create a new Champion Award that is focused on sustainability-oriented products and policies that participants are preparing to release/implement that will be awarded at CES.

Tire Crumb

- (NEW) On June 10th, a group of EPA staff and managers from ORCR and ORD- as well as the Centers for Disease Control - will be visiting the **Ex. 3 [CERCLA section 104(e)(7)(42 USC 9604(e)(7))]** Tire facility in **Ex. 3 [CERCLA section 104(e)(7)(42 USC 9604(e)(7))]**. The purpose of the visit is to observe and learn about the tire crumb manufacturing process and provide participants with an opportunity to ask questions about the source and variability of scrap tires, different processing technologies that exist, and other variabilities in the properties of tires. This visit is in support of the multi-agency research action plan on the use of tire crumb on playing fields and playgrounds (www.epa.gov/tirecrumb).

E-Manifest

- (NEW) On May 24th, the e-Manifest team presented a brief system update to the Environmental Council of the States (ECOS) users.
- (NEW) On May 19th, OMB completed its review of the e-Manifest User Fee Proposed Rule. The notice of proposed rulemaking is now being prepared for signature. We project publication of the proposed rule for public comment in late June/early July.
- (NEW) On June 7, 2016, the e-Manifest Team will be travelling to Detroit, MI to perform a site visit to the U.S. Ecology Treatment, Storage and Disposal Facility (TSDF).

PCBs

- (NEW) On May 26th, OGC and ORCR staff will meet with representatives from NORA, an association of used oil collectors and recyclers, to discuss possible alternatives to incineration for used oil contaminated with PCBs. NORA recently produced a report highlighting the need for a more cost

effective solution that would incentivize testing and use of best management practices on the part of the oil recyclers.

Post-Closure Care

- (NEW) On June 8th, ORCR and ORD will meet with OMB to provide an overview of the research work being conducted on the performance of hazardous waste landfills that are in post-closure care. This research effort is meeting a critical need in terms of better understanding the long-term behavior of hazardous waste landfill units. We anticipate that this research will reemphasize the site-specific nature of the evaluations, reemphasize the need for maintenance, supplement the technical criteria presented in the Post-Closure Care Guidance, and offer a general glimpse on how engineering controls have performed over the years.

Basel Convention

- (NEW) From May 29- June 2nd, ORCR staff will travel to Nairobi, Kenya, to participate in the UNEP sponsored Basel convention tenth open ended working group meeting. Topics of discussion will include further development of guidance for the environmentally sound management of e-waste, with the distinction between what used electronics are waste and which are not. There will also be further work to develop guidance for management of POPs (persistent organic pollutants) waste and household waste, and consideration of updating older technical guidance. Amendments to several of the Basel Convention Annexes will also be considered.

CERCLA 108(b)

- (UPDATED) On May 17, 2016, ORCR conducted an informational webinar for interested stakeholders. The informational webinar included an update on the Agency's progress in developing the proposed rule and described the Agency's current thinking on key aspects of the rule described in the Agency's previously presented regulatory framework. Participants were invited to submit questions.
- (NEW) On May 18, 2016, ORCR conducted a Federalism consultation with state and intergovernmental associations. Of particular interest was how EPA intends to adjust the level of CERCLA 108(b) financial responsibility to reflect safer practices including those required by states, and, why CERCLA Section 114d should not preempt state and local laws relating to mining reclamation. The Team will be conducting two follow up calls to address state concerns.
- (NEW) On May 26th, ORCR presented an overview of the CERCLA 108(b) financial responsibility work with Hill staff.
- (NEW) ORCR is finalizing Tribal Consultation letters for signature by the Director, ORCR. Consultation letters are expected to go out during the week of June 1st and will announce the Tribal consultation period from June 15 to August 15, 2016 and tribes-only webinar to be held on June 22nd.

Speaking Engagements in the next 60 days

- From May 30 – June 2nd, ORCR will participate in the Basel Open-Ended Working Group meeting being held in Nairobi, Kenya. Topics include terminology issues (e.g. waste vs. non-waste and hazardous vs. non-haz), environmentally sound management guidelines, persistent organic pollutants (POPs), environmentally sound management of household waste, management of ship waste off-loaded at ports, waste prevention, and technical guidelines for e-waste.
- On June 1-3rd, ORCR staff will be participating in the AMERIPEN 2016 Annual Meeting in Washington DC.

- On June 6th in Las Vegas, Barnes Johnson will present on EPA's wasted food work and participate in a recycling panel at the Investor Summit at WasteExpo. ORCR staff will also participate in the wasted food track.
- On June 7-8th, ORCR staff will be speaking at the Region 6 Training Symposium for Federal Facilities which will occur in Dallas, TX. Remarks will focus on providing an update on the Federal Green Challenge.
- On June 13-15th, ORCR staff will speak at the RCRA Enforcement Managers' meeting in Chicago, IL.
- On June 14th, ORCR will present at the Massachusetts Northeast Waste Management Official's Association (NEWMOA) annual meeting on and provide updates on major rulemaking efforts and other key topics from ORCR.
- On June 14-15th, ORCR will attend the annual Council Meeting of the North American Commission for Environmental Cooperation (CEC) being held in Tuxtla Gutiérrez, Chiapas, Mexico. ORCR will provide support to the EPA Administrator on waste topics that arise during the meeting.
- On June 14-16th, ORCR staff will co-present with the Energy Star program in a session entitled "Sustainability and Your Bottom Line: How to Use EPA Programs to Advance Your Energy, Water and Waste Goals" during the 2016 Green Retail Decisions Innovation Summit in Chicago, IL.
- On June 15th, ORCR will give training on the Definition of Solid Waste and Solvent-Contaminated Wipes to EPA Region 6 and Region 6 states as part of the Region 6 RCRA Inspector/Enforcement Officer Training Workshop in Dallas, TX.
- From June 15-16th, Barnes Johnson and ORCR staff will attend the Region 5 States Meeting in Chicago, IL. The agenda is forthcoming.
- On June 21-22nd, ORCR will give a presentation on "21st Century Organics: Food Diversion Update" at the 2016 Maryland Recycling Network/SWANA Mid-Atlantic Annual Conference in Ellicott City, MD
- On June 27th, Barnes Johnson will present at the SWANA Executive Forum in Scottsdale, AZ. His presentation will provide an overview and opportunity for discussion regarding EPA's continuing efforts in the materials and waste management arena. There will be a particular focus on EPA's efforts to encourage Sustainable Materials Management, an update and review of progress on EPA's key regulatory, policy and guidance efforts and a discussion of EPA's views on topical and emerging materials and waste management issues.
- On June 27th, the e-Manifest Team will be presenting an update on system development at Northeast Waste Management Official's Association's (NEWMOA) Advanced Hazardous Waste Inspectors Workshop in New Jersey.
- On June 28th, ORCR will provide an overview of the hazardous waste pharmaceuticals proposed rule and the generator improvements proposed rule at the Northeast Waste Management Official's Association (NEWMOA) Inspectors Workshop, in Trenton, NJ.
- On June 28th, ORCR staff will be panel speakers at the OEI Symposium and Training Conference in Chicago, IL. They will be sharing their experiences using Agile software development practices to build e-Manifest - providing lessons learned from the transition to Agile from waterfall development and contributing to the EPA's Agile development community of practice.
- On June 28-29th, ORCR will attend Harvard Law School and EPA Region 1's "Reduce and Recover: Save Food for People" conference. The conference will convene entrepreneurs, practitioners, policymakers, and enthusiasts to further a public dialogue on reaching the 2030 food loss and waste reduction goal. The conference will focus on the top two priorities in EPA's Food Recovery Hierarchy: "source reduction" and "feed hungry people."
- On July 13-14th, Barnes Johnson will attend Region 3's State Director's Caucus in Harrisburg, PA.

Public Announcements in the next 60 days

- (UPDATED) In June, ORCR plans to finalize its strategy for addressing the retail sector by posting it on our website and sharing it with stakeholders.
- (UPDATED) In early June, ORCR anticipates releasing the *Methodology for Evaluating the Beneficial Use of Industrial Non-Hazardous Secondary Materials* ("secondary materials") completed in April, and

the *Beneficial Use Compendium: A Collection of Resources and Tools to Support Beneficial Use Evaluations* by posting them on our website and sharing them with stakeholders. These two documents are intended to assist states, local governments, tribal authorities, regulated communities, and the general public with evaluating the environmental and human health impacts associated with the beneficial use of secondary materials. The Methodology provides an overarching process that can be used to evaluate a wide range of secondary materials and associated encapsulated and unencapsulated beneficial uses, while the Compendium provides a more detailed discussion of specific technical considerations and lists specific resources and tools, such as models and screening benchmarks, to further assist with evaluations.

- In June, EPA expects to publish a final approval for public comment for one member of the National Rural Electric Cooperative Association (NRECA) authorizing disposal options for low-level PCB remediation waste. This final approval is similar to approvals issued to NRECA members on February 9, 2016. A draft approval has been published on EPA's website and is currently available for public comment until June 6, 2016.
- As part of the tribal consultation and coordination process, on June 22nd, ORCR will host a tribes-only webinar on CERCLA Section 108(b) Hard Rock Mining Proposed Rulemaking. The webinar will provide tribes an update on the Agency's progress in developing the proposed rule and will describe the Agency's current thinking on the key aspects of the rule.
- In late June/early July, ORCR anticipates the publication of the e-Manifest Fee Rule Notice of Proposed Rulemaking. This proposed rule would announce for public comment EPA's proposed methodology for setting and revising user fees that users of manifests would pay to offset EPA's costs in developing and operating the new national e-Manifest system that the Agency plans to roll out in the spring of 2018. The proposed rule will discuss which users and transactions would be subject to fees, the formula and process EPA would use to set and revise fee schedules, how users could make their fee payments, and proposed sanctions to induce prompt payment of fees by users.
- In late June/early summer, ORCR anticipates hosting a public webinar on the e-Manifest user fee proposed rule. This webinar would provide attendees with an overview of EPA's proposed methodology and structure for setting fees for users of the e-Manifest system.

Meghan Radtke, Ph.D., Biologist
Special Assistant
Office of Resource Conservation and Recovery
Office of Land and Emergency Management
U.S. Environmental Protection Agency
Desk phone: 703-347-0229

Mobile: Ex. 6 Personal Privacy (PP)